

REMARKS

Claim 1 is pending in the application. The Examiner has rejected claim 1 under 35 U.S.C. §102 as being anticipated by Pitzen (US 5,832,879). In response, Applicant has canceled claim 1, rendering the rejection of claim 1 moot.

Applicant has amended the application to include new claims 2-21. Support for the newly added claims is set forth below. Applicant asserts that no new matter is added.

CLAIM 2:

Support for claim 2 is found as follows: Support for the belt body having a first end and a second end, said first end formed with a loop, the buckle having a tab portion and held in said loop, and the second end being formed with an array of through holes for receiving said tab portion of said buckle is found in original claim 1.

Support for the foam insert within said body formed with an array of apertures is found in the specification page 5, lines 21 through page 6, line 4.

Support for the plurality of magnetic elements, where each said magnetic element having a magnetic north and a magnetic south, one said magnetic element in each of said apertures is found in the specification page 6, line 20 through page 7, line 10.

Support for the magnetic north side of each said magnetic element being directed toward said patient is found in the specification page 7, lines 6-16.

CLAIM 3:

Support for the magnetic therapy belt having 21 magnetic elements is found in the specification page 7, lines 16-20.

CLAIM 4:

Support for the magnetic therapy belt wherein said magnetic elements are neodymium magnets is found in the specification page 7, lines 11-14.

CLAIM 5:

Support for the magnetic therapy belt wherein said magnetic elements are separated by a distance is found in the specification page 5 lines 9-11 and page 7, lines 17-19.

CLAIM 6:

Support for the magnetic therapy belt wherein said distance is one centimeter is found in the specification page 5 lines 9-11 and page 7, lines 17-19.

CLAIM 7:

Support for the magnetic therapy belt wherein said body is formed with one or more outer coverings, said covering to encase said foam insert is found in the specification page 5, lines 18-21, and page 6, line 4.

CLAIM 8:

Support for the magnetic therapy belt wherein each said magnetic element has a diameter is found in the specification on page 5, lines 11-13.

CLAIM 9:

Support for the magnetic therapy belt wherein said diameter is 1 centimeter is found in the specification on page 5, lines 11-13.

CLAIM 10:

Support for the magnetic therapy belt wherein said magnetic element exhibits a magnetic field is found in the specification on page 5, lines 13-15.

CLAIM 11:

Support for the magnetic therapy belt wherein said magnetic field is at least 35000 gauss is found in the specification on page 5, lines 13-15.

CLAIM 12:

Support for the magnetic therapy belt wherein said body forms a loop around said patient and said magnetic elements are adjacent said patient to expose said patient to said magnetic field is found in the specification in Figure 1, on page 3, lines 16-19, and on page 4, line 19 through page 5, line 5.

CLAIM 13:

Support for the magnetic therapy belt wherein said magnetic field is substantially uni-polar is found in the specification on page 7, lines 6-15.

CLAIM 14:

Support for the magnetic therapy belt wherein said magnetic field is substantially continuous along at least a portion of said body is found in the specification on page 7, lines 6-15.

CLAIM 15:

Support for the magnetic therapy belt wherein said body is covered by a leather outer covering is found in the specification on page 6, lines 15-16.

CLAIM 16:

Support for the method for providing magnetic therapy to a patient is found in the specification on page 4, lines 10-13.

CLAIM 17

Support for the method wherein said magnetic therapy belt creates a magnetic field in excess of 35000 gauss, said method further comprising exposing at least a portion of said patient to said magnetic field is found in the specification on page 5, lines 14-15.

CLAIM 18:

Support for the method of positioning a plurality of magnetic elements adjacent said lumbar region of said patient to expose said lumbar region of said patient to a magnetic field is disclosed in the specification on page 3, lines 1-5.

CLAIM 19:

Support for the method wherein said magnetic field is at least 35000 gauss is found in the specification on page 5, lines 13-15.

CLAIM 20:

Support for the method wherein said magnetic field is substantially uni-polar is found in the specification on page 7, lines 6-15.

CLAIM 21:

Support for the method wherein said magnetic field is substantially continuous is found in the specification on page 7, lines 6-15.

CONCLUSION

Claim 1 has been canceled, and new claims 2-21 have been added. Applicant respectfully asserts that the combination claimed is patentable over the cited Pitzen reference, as well as all other referenced identified by the Examiner. Accordingly, examination of the claims as presented is respectfully requested.

Respectfully submitted,

Dated: June 4, 2004

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